



One Hundred First Legislature - First Session - 2009
Introducer's Statement of Intent
LB 504

Chairperson: Chris Langemeier
Committee: Natural Resources
Date of Hearing: February 27, 2009

The following constitutes the reasons for this bill and the purposes which are sought to be accomplished thereby:

LB 504 provides procedures for obtaining Clean Water Act 404 permits for the Department of Environmental Quality.

The intent is to address a problem that natural resources districts are having with getting Clean Water Act 404 permits that must be obtained before a project can begin. The permit program, administered by the Nebraska office of the U.S. Army Corps of Engineers, has been causing considerable roadblocks to getting infrastructure projects done in a timely manner. The bill proposes putting into place a process for the state to assume the "404" permit program from the Army Corps of Engineers.

Details

Section 1 amends §81-1505, relating to the Environmental Protection Act, by adding that the Environmental Quality Council, when adopting regulations for the issuance of Clean Water Act section 404 permits, is to consider (a) when permits are required and exemptions, application, and filing requirements; (b) terms and conditions affecting permits, notice and public participation, and duration; (c) permit review; and (d) monitoring, recording, and reporting requirements.

Section 2 amends §81-1506, relating to unlawful acts under the Environmental Protection Act, by making it unlawful to discharge any dredged or fill material into state waters without obtaining a permit required under section 404 of the Clean Water Act and by rules and regulations under 81-1505.

Section 3 repeals the original sections.

Principal Introducer:

Senator Chris Langemeier